BOMBAY ACT No. VI OF 1901.[1]

[*5th October, 1901.*]

An Act to amend the Bombay Land Revenue Code, 1879.

WHEREAS it is expedient to amend the Bombay Land Revenue Code, 1879, in manner hereinafter appearing: It is enacted as follows :— Bom. V of 1879.

Short title.

1. (*1*) This Act may be called the Bombay Land Revenue Code Amendment Act, 1901.

Commencement.

(*2*) It shall come into force at once.

Amendment of section 3, clause (*9*).

2. In the Bombay Land Revenue Code, 1879, hereinafter called the Code, in section 3 (*9*), for the word "vacant" the words "unploughed ridge or" shall be substituted. Bom. V of 1879.

Amendment of section 48.

3. (*1*) In sub-clause (*b*) of the first paragraph of section 48 of the Code, before the words "from which" the words "appropriated for any purpose" shall be inserted.

(*2*) For the second paragraph of the same section, the following shall be substituted, namely :—

[Vol. II of this Code, p. 648.]

Substitution of new clause for section 52.

4. For section 52 of the Code, the following shall be substituted, namely :—

[Vol. II of this Code, p. 649.]

Saving validity of past assessments purporting to have been fixed under section 52.

5. Any assessment of land revenue heretofore fixed by the Collector, which expressly purports, or may be reasonably held to have been intended, to have been fixed under section 52 shall be valid and deemed to have been fixed under that section as amended by the foregoing section of this Act, and the amounts due according to such assessment shall, until duly revised or altered, continue to be levied.

Amendment of section 56.

6. In section 56 of the Code, the words "freed from all tenures, incumbrances and rights created by the occupant or holder or any of his predecessors in title, or in anywise subsisting as against such occupant, or holder," are hereby repealed, and at the end of the section the following shall be added, namely :—

"and such occupancy or alienated holding when disposed of, whether by sale as aforesaid, or by restoration to the defaulter, or by transfer to another person or otherwise howsoever, shall, unless the Collector otherwise directs, be deemed to be freed from all tenures, rights, incumbrances and equities theretofore created in favour of any person other than Government in respect of such occupancy or holding."

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[1] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1901, Pt. V, p. 246; for Report of Select Committee, *see ibid*, p. 251, and for Proceedings in Council, *see ibid*, pp. 264, 332 and 364.

Amendment of section 61.

7. In the penultimate paragraph of section 61 of the Code, the words " he may have, " where they occur before the word " raised " and before the word "erected, " are hereby repealed.

Amendment of sections 67 and 68.

8. (*1*) In sections 67 and 68 of the Code, after the word " terms " the words " or conditions " shall be inserted.

(*2*) To section 68 of the Code the following proviso shall be added, namely :—

[Vol. II of this Code, p. 655.]

Amendment of section 70.

9. To section 70 of the Code the following proviso shall be added, namely :—

[Vol. II of this Code, p. 656.]

Amendment of section 73.

10. For section 73 of the Code, the following shall be substituted, namely :—

[Vol. II of this Code, p. 657.]

Addition of a section 73A.

11. After section 73 of the Code the following section shall be inserted, namely :—

[Vol. II of this Code, p. 657.]

Addition of a section 79A.

12. After section 79 of the Code the following section shall be inserted, namely :—

[Vol. II of this Code, p. 659.]

Amendment of section 81.

13. In section 81 of the Code, after the words " or that a sale " the words " or other disposal " shall be inserted, and after the words " instead of selling " the words " or otherwise disposing of " shall be inserted.

Amendment of section 122.

14. (*1*) In the first paragraph of section 122 of the Code, for the words " cause to be constructed or repaired " the words " specify, or cause to be constructed, laid out, maintained or repaired," shall be substituted.

(*2*) In the second paragraph of the same section between the words " construct " and " or repair, " in the first two places where they occur, the words " lay out, maintain," shall be inserted, and in the third place where they occur the words " lay out " shall be inserted.

(*3*) For the last paragraph of the same section the following shall be substituted, namely :—

[Vol. II of this Code, p. 675.]

Amendment of section 124.

15. In section 124 of the Code, before the words " maintenance and repair " the words " construction, laying out," shall be inserted.

Amendment of section 153.

16. To section 153 of the Code the following proviso shall be added, namely :—

[Vol. II of this Code, p. 683.]

Amendment of section 214.

17. In clause (*g*) of section 214 of the Code after the words " survey settlement " the words " and the maintenance of boundary marks " shall be added.